

JK STUDENT DISCIPLINE

The District's policies and procedures for student discipline define conduct that may result in discipline of a student, set forth due-process procedures for various types of discipline, describe actions that may be taken as a result of excessive absences, and set forth other rights and responsibilities related to student conduct.

These policies and procedures will apply to all students traveling to, attending, and returning from school, and while visiting another school or at a school-sanctioned activity and may be imposed if the student's behavior affects the orderliness of the school.

The District reserves the right to hold students accountable for behavior that did not occur on District property or behavior that occurred in other school districts.

When suspension or expulsion is involved, notice, hearing, and appeal procedures shall conform to applicable legal requirements.

A.R.S. [15-841](#)(G) requires Districts to expel any student who brings a firearm to school, with said expulsion to be for a period of not less than one year. This may be modified on a case-by-case basis.

For any other disciplinary infraction, a school district may impose an out-of-school suspension or expel a pupil who is enrolled in kindergarten through fourth grade (K-4) only if all of the following apply:

- A. The pupil is seven (7) years of age or older.
- B. The pupil engaged in conduct on school grounds that meets one (1) of the following criteria:
 - 1. Involves the possession of a dangerous weapon without authorization from the school.
 - 2. Involves the possession, use or sale of a dangerous drug as defined in A.R.S. [13-3401](#) or a narcotic drug as defined in A.R.S. [13-3411](#).
 - 3. Immediately endangers the health and safety of others.
 - 4. The pupil's behavior is determined by the School District Governing Board to qualify as aggravating circumstances and that all of the following apply:

a. The pupil is engaged in persistent behavior that has been documented by the school and that prevents other pupils from learning or prevents the teacher from maintaining control of the classroom environment.

b. The pupil's ongoing behavior is unresponsive to targeted interventions as documented through an established intervention process that includes consultation with the school counselor, school psychologist or other mental health professional or social worker if available within the School District or through a state sponsored program.

c. The pupil's parent or legal guardian was notified and consulted about the ongoing behavior.

d. Before a long-term suspension or expulsion, the school provides the pupil with a disability screening and the screening finds that the behavioral issues were not the result of a disability.

C. Failing to remove the pupil from the school building would create a safety threat that cannot otherwise reasonably be addressed or qualifies as "aggravating circumstances."

D. Before suspending or expelling the pupil, the School District considers and, if feasible while maintaining the health and safety of others, in consultation with the pupil's parent or guardian to the extent possible, employs alternative behavioral and disciplinary interventions that are available to the District, that are appropriate to the circumstances and that are considerate of health and safety. The School District shall document the alternative behavioral and disciplinary interventions it considers and employs.

E. The District, by policy, provides for both:

1. A readmission procedure for pupils who are in kindergarten through fourth grade (K-4) and who have served at least five (5) school days of a suspension that exceeds ten (10) school days to be considered for readmission on appeal of the pupil's parent or legal guardian.

2. A readmission procedure for pupils who are in kindergarten through fourth grade (K-4) and who are expelled from or subject to alternative reassignment at the school to be considered for readmission on appeal of the pupil's parent or legal guardian at least twenty (20) school days after the effective date of the expulsion or alternative reassignment.

A school district is exempt from having to meet the prescribed criteria for the suspension of a student in kindergarten (K) or the first through the fourth (1st – 4th) grades if either:

- A. Expulsion is required pursuant to A.R.S. [15-841](#)(G) due to a student's possession of a firearm at school.
- B. The suspension does not exceed two (2) days and the aggregate suspensions for the pupil does not exceed ten (10) days within a school year.

"Aggravating circumstances" means the pupil is engaged in persistent behavior that:

- A. Has been documented by the school.
- B. Prevents other students from learning or prevents the teacher from maintaining control of the classroom environment.
- C. Is unresponsive to targeted interventions as documented through an established intervention process.

The discipline, suspension, and expulsion of pupils shall not be based on their race, sex, (which includes a prohibition against sexual harassment as described in the District's policy concerning sexual harassment), sexual orientation, gender identity or expression, national origin, ethnicity, religion, creed, age, or disability.

The principal of each District school shall ensure that a copy of all rules pertaining to discipline, suspension, and expulsion and the provisions pertaining to confinement of pupils are distributed to each student's parents at the time the student enrolls in school each year.

Behavior Management and Discipline of Students with Special Needs

The Superintendent shall oversee a collaborative process for the identification, description, and monitoring of best practices for behavioral management and discipline of special needs students. The practices shall include, but not be limited to:

- A. authorized and prohibited disciplinary methods,
- B. recommended and required training for special education program teachers and aides, and
- C. requirements for conveying notice of disciplinary measures taken.

Temporary Removal

Teachers are authorized to temporarily remove a student from a class. A teacher may temporarily remove a student to the principal, or to a person designated by the school administrator, in accord with:

- A. Rules established for the referral of students.
- B. The conditions of A.R.S. [15-841](#), when applicable.

The Superintendent shall establish such rules as are necessary to implement the temporary removal procedure.

Confinement

Under A.R.S. [15-841](#), the Superintendent shall ensure that disciplinary policies involving the confinement of pupils left alone in an enclosed space shall include the following:

- A. A process for prior written parental notification that confinement may be used for disciplinary purposes that is included in the pupil's enrollment packet or admission form.
- B. A process for written parental consent before confinement is allowed for any pupil in the School District. The policies shall provide for an exemption to prior written parental consent if a school principal or teacher determines that the pupil poses imminent physical harm to self or others. The school principal or teacher shall make reasonable attempts to notify the pupil's parent or guardian in writing by the end of the same day that confinement was used.

Restraint and Seclusion

The use of restraint and seclusion is not limited, by policy or practice, to students with disabilities.

A school may permit the use of restraint or seclusion techniques on any pupil if both of the following apply:

- A. The pupil's behavior presents an imminent danger of bodily harm to the pupil or others.
- B. Less restrictive interventions appear insufficient to mitigate the imminent danger of bodily harm.

If a restraint or seclusion technique is used on a pupil:

- A. School personnel shall maintain continuous visual observation and monitoring of the pupil while the restraint or seclusion technique is in use.

B. The restraint or seclusion technique shall end when the pupil's behavior no longer presents an imminent danger to the pupil or others.

C. The restraint or seclusion technique shall be used only by school personnel who are trained in the safe and effective use of restraint and seclusion techniques unless an emergency situation does not allow sufficient time to summon trained personnel.

D. The restraint technique employed may not impede the pupil's ability to breathe.

E. The restraint technique may not be out of proportion to the pupil's age or physical condition.

Schools may establish policies and procedures for the use of restraint or seclusion techniques in a school safety or crisis intervention plan if the plan is not specific to any individual pupil.

Schools shall establish reporting and documentation procedures to be followed when a restraint or seclusion technique has been used on a pupil. The procedures shall include the following requirements:

A. School personnel shall provide the pupil's parent or guardian with a written or oral notice on the same day that the incident occurred unless circumstances prevent same-day notification. If the notice is not provided on the same day of the incident, notice shall be given within twenty-four (24) hours after the incident.

B. Within a reasonable time following the incident, school personnel shall provide the pupil's parent or guardian with written documentation that includes information about any persons, locations, or activities that may have triggered the behavior, if known, and specific information about the behavior and its precursors, the type of restraint or seclusion technique used and the duration of its use.

C. Schools shall review strategies used to address a pupil's dangerous behavior if there has been repeated use of restraint or seclusion techniques for the pupil during a school year. The review shall include a review of the incidents in which restraint or seclusion techniques were used and an analysis of how future incidents may be avoided, including whether the pupil requires a functional behavioral assessment.

If a school district or charter school summons law enforcement instead of using a restraint or seclusion technique on a pupil, the school shall comply with the reporting, documentation, and review procedures established under the paragraph above. School resource officers are authorized to respond to situations that present the imminent danger of bodily harm according to protocols established by their law enforcement agency.

Schools are not prohibited from adopting policies which include procedures

for the reasonable use of physical force by certificated or support staff personnel in self-defense, defense of others, and defense of property (A.R.S. [15-843](#), subsection b, paragraph 3).

The District authorizes the use of these definitions which are included in A.R.S. [15-505](#):

A. "Restraint" means any method or device that immobilizes or reduces the ability of a pupil to move the pupil's torso, arms, legs, or head freely, including physical force or mechanical devices. Restraint does not include any of the following:

B. Methods or devices implemented by trained school personnel or used by a pupil for the specific and approved therapeutic or safety purposes for which the method or device is designed and if applicable prescribed.

C. The temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a pupil to comply with a reasonable request or to go to a safe location.

D. The brief holding of a pupil by one (1) adult for the purpose of calming or comforting the pupil.

E. Physical force used to take a weapon away from a pupil or to separate and remove a pupil from another person when the pupil is engaged in a physical assault on another person.

F. "School" means a school district, a charter school, a public or private special education school that provides services to pupils placed by a public school, the Arizona State Schools for the Deaf and the Blind, and a private school.

G. "Seclusion" means the voluntary confinement of a pupil alone in a room from which egress is prevented. Seclusion does not include the use of a voluntary behavior management technique, including a timeout location, as part of a pupil's education plan, individual safety plan, behavioral plan, or individualized education program that involves the pupil's separation from a larger group for purposes of calming.

Threatened an Educational Institution

"Threatened an educational institution" means to interfere with or disrupt an educational institution as found in A.R.S. [15-841](#) and [13-2911](#). A student who is determined to have threatened an educational institution shall be expelled from school for at least one (1) year except that the District may modify this expulsion requirement for a pupil on a case-by-case basis and may reassign a pupil subject to expulsion to an alternative education program if the pupil participates in mediation, community service, restitution or other programs in which the pupil takes responsibility for the results of the threat. The District

may require the student's parent(s) to participate in mediation, community service, restitution, or other programs with the student as a condition to the reassignment of the pupil to an alternative education program.

Regulating Off-Campus Speech

While the District may regulate certain types of off-campus student speech, it must be mindful of student rights of expression under the First Amendment.

Circumstances that may implicate the District's off-campus regulatory interests include, but are not limited to:

- A. Serious or severe bullying or harassment targeting particular individuals.
- B. Threats aimed at teachers or other students.
- C. The failure to follow rules concerning:
 - 1. Lessons.
 - 2. The writing of papers.
 - 3. The use of computers.
 - 4. Participation in other online school activities.
- D. Breaches of school security devices.

The District may take affirmative steps to work with the student, short of discipline, to engage in future respectful and accountable digital citizenship.

Information concerning a student's disciplinary record will be held in the strictest confidence.

Disciplinary actions taken will be recorded in an administrative log, and all types of suspensions or expulsions will be recorded in a separate file for each student.

Self-Reporting

Any student seeking help with substance abuse issues may self-report to the staff or administration without incurring discipline or law enforcement sanctions under the following conditions:

- A. Students must not be in possession of nor under the influence of illegal substances and may not have paraphernalia with them or in their vehicle.

B. Students should not be under investigation by the administration for issues relating to illegal substances.

Adopted: February 13, 2024

LEGAL REF.:

A.R.S.

[13-403](#) *et seq.*

[13-2911](#)

[13-3401](#)

[13-3411](#)

[15-105](#)

[15-341](#)

[15-342](#)

[15-841](#)

[15-842](#)

[15-843](#)

[15-844](#)

CROSS REF.:

[GBEB](#) - Staff Conduct

[JIC](#) - Student Conduct

[JKA](#) - Corporal Punishment

[JKD](#) - Student Suspension

[JKE](#) - Expulsion of Students

[JLDB](#) - Restraint and Seclusion

JK-RA

REGULATION

STUDENT DISCIPLINE

Definitions

Discipline may include, but is not limited to: oral reprimand, parent conferences, detention, temporary exclusion from the classroom, reassignment, loss of privileges to include participation in sports and other extracurricular activities, loss of credit, withdrawal from class, suspension and/or expulsion.

Drugs include any narcotic or dangerous drug, vapor releasing toxic substance, marijuana or other substance enumerated in A.R.S. [13-3401](#), as well as any imitation controlled substance listed in A.R.S. [13-3415](#), and any other controlled substance as defined in schedules I through IV of §202 of the Controlled Substance Act (21 U.S.C. 812) and as further defined by regulation in 21 C.F.R. 1308.11-1308.15. *Drug* also means steroids and the general group of pharmacological agents commonly known as hallucinogens.

Expulsion is the permanent withdrawal of the privilege of attending school in this District unless the Governing Board reinstates the privilege.

Gang means group of individuals 1) who refer to themselves as a group by a group name or moniker; and 2) whose primary group activities, whether conducted individually or in a group setting, involve activities that are unlawful or contrary to Governing Board policy, including but not limited to; intimidation of others, acts of assault and similar acts of unjustified physical violence against others, and/or activities that damage property, such as graffiti. *Gangs* also often claim a territory or area and have similar groups that are deemed rivals or enemies.

Long-term suspension is a suspension that exceeds ten (10) school days in duration and may extend for up to two (2) school years.

Medication means patent or proprietary medicines as defined in A.R.S. [32-1901](#)(74). *Medication* also means substances that are available legally by prescription only.

Parent(s) means a parent or the parents with whom the student resides during the school year. Whenever this policy provides for rights or procedures to be afforded to a student's parent(s), the rights and procedures shall be afforded to:

- The student and not the parent(s), if the student is eighteen (18) years of age or older (unless the student is disabled and has an appointed guardian); and
- The student's guardian if the student resides with a guardian rather than his or her parent(s).

Short-term suspension is a suspension for ten (10) or fewer school days.

Tardiness is arriving late to class or to a required school function.

Truancy is the failure of a student to attend class or a required school function without proper and timely excuse.

Discipline for Prohibited Conduct

Discipline - A student who engages in conduct prohibited by this policy may be disciplined.

Matrix - These rules include a Student Discipline Matrix ("Matrix"). The matrix sets forth rules and the range of possible disciplinary actions. Discipline in excess of the maximum may be recommended and imposed 1) in case of multiple rule violations arising out of the same event or series of events, or 2) when a student repeatedly has violated one or more of these rules, or 3) when the students' conduct is particularly serious. Discipline less than the minimum may be recommended and imposed in appropriate circumstances.

Prohibited Student Conduct

Alcohol. A student shall not possess, sell, offer to sell, purchase, offer to purchase, use, transfer, or be under the influence of alcohol at school, school activities or events.

Arson and Reckless Burning. A student shall not start, attempt to start, or promote the continuation of any fire or explosion. This does not preclude teacher approved class activities such as an approved and supervised experiment in a chemistry class. A person commits arson of an occupied structure by knowingly damaging an occupied structure. A student commits reckless burning by recklessly causing a fire or explosion which results in damage to an occupied structure, a structure, wild land or property.

Cellular Phones and Other Electronic Communication. Possession or use of personal electronic communication devices by students is permitted provided that: a) such devices do not disrupt the education program or school activity; b) such devices are kept in the "off" position in the classroom unless the teacher has expressly permitted their use; and c) the devices are permitted by the school administration and are used in accordance with school guidelines.

Defamation. A student shall not use defamatory words or phrases, post them

on the Internet, or distribute defamatory materials. Defamatory words or materials are those that are false and expose a person to hatred, contempt, ridicule, disgust or an equivalent reaction, or are false and have a tendency to impugn a person's occupation, business, or office. The Internet posting of defamatory words or material, even when posted from home, may be subject to disciplinary action.

Defiance of Authority - Untruthfulness. A student shall obey the reasonable orders of teachers, administrators, and other School District employees and shall respond to requests for information from these persons in a truthful manner. A student shall not speak or refer to teachers, administrators, and other School District employees in a vulgar or profane manner.

Disruptive Conduct. A student shall not engage, attempt to engage, or encourage others to engage in any conduct that is reasonably likely to disrupt, or that does disrupt, any school function, process, activity, or electronic services including networks, databases, hard drives, or other computer-accessible sources of information.

Dress and Appearance. A student's dress and appearance shall not present health or safety problems or cause disruption of educational activities. Items of attire with obscene words, slogans or graphics, or slogans or graphic related to drugs, alcohol, or gangs shall not be worn or displayed. Immodest or indecent attire is not acceptable. Footwear must be worn.

Drugs (possession). A student shall not possess, purchase, offer to purchase, use, transfer, or be under the influence of drugs or controlled medication (except that use of medication is allowed if it is prescribed by a physician and used in accordance with the prescription and Governing Board policies). The term "drugs" is defined in the Definition section above, and includes imitation controlled substances, and vapor releasing toxic substances, and the general group of pharmacological agents commonly known as hallucinogens.

Drugs (sale). A student shall not sell or offer to sell drugs or controlled medication. The term "drugs" is defined in the Definition section above, and includes imitation controlled substances and vapor releasing toxic substances, and the general group of pharmacological agents commonly known as hallucinogens.

Drug Paraphernalia (possession). A student shall not possess, transfer, or use drug paraphernalia as defined by A.R.S. [13-3415](#).

Drug Paraphernalia (sale). A student shall not sell or offer to sell drug paraphernalia as defined by A.R.S. [13-3415](#).

Emergency Alarms and Fire Control Devices. A student shall not activate or use any fire alarm or emergency control device unless the student reasonably believes that an emergency exists justifying use of the device.

Endangering the Health and Safety of Others. A student shall not engage in conduct that endangers or reasonably appears to endanger the health or safety of other students, school employees, or other persons.

False Reporting. Knowingly submitting a false report shall subject the student to discipline.

Forgery - Cheating. A student shall not use or attempt to use the identity, signature, academic work or research of another person and represent that it is his or her own. A student shall not converse or share his or her knowledge or work with another student before or during a test unless specifically approved in advance by the teacher. A student shall not bring into a test any materials or notes unless approved by the teacher.

Gambling. Unless the activity is properly supervised and has received the express approval of the school principal, a student shall not engage in any game or activity that involves the element of risk or chance with the intention that property or money will be exchanged based on the outcome of the game or activity.

Gang Activity or Association. A student shall not wear, carry, or display gang paraphernalia and/or exhibit behavior or gestures that symbolize gang membership or cause and participate in activities that intimidate or adversely affect the educational activities of another student or the orderly operation of the schools. Gangs that initiate, advocate, or promote activities that threaten the safety or well-being of persons or property on school grounds or disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of dress or grooming that by virtue of its color, arrangement, trademark, symbol, or any other attribute that indicates or implies membership or affiliation in such a group is prohibited because of the disruption to the educational activities that result from such activities or dress.

Harassment/Sexual Harassment/Intimidation/Bullying (See Policy JICK, Student Violence/Harassment/Intimidation/Bullying). A student shall not harass, intimidate, or bully another person. This includes but is not limited to, threats to use physical, sexual, verbal or emotional abuse to humiliate or coerce others and aggressive, antisocial behavior. Cyber harassment, intimidation and bullying includes any act of harassment, intimidation or bullying committed by use of electronic technology or electronic communication including by cell phone, social networking, and other internet communications. Cyber harassment, intimidation and bullying is prohibited on school computers, networks, forums, mailing lists or other District owned property as well as on an individual's personal electronic media and equipment. Harassment, intimidation and bullying may include, but is not limited to the following conduct:

- Unwelcome, offensive, or derogatory verbal or written comments. Examples may include comments, jokes, sexual innuendoes, name calling, use of slang that others find offensive, or rumor spreading. Note that conduct does not have to reference a specific person.
- Calling attention to physical or sexual characteristics in a negative or embarrassing manner.
- Displaying or threatening to display on school property or on the internet or through social media nude or sexual pictures, cartoons, graphics, or calendars including portrayal of one or more students in an unflattering manner.
- Social exclusion, ostracism, hazing, or stalking.
- Unwelcome physical contact such as touching, pushing, hitting, kicking, shoving, or spitting.
- Extortion.
- Threats of harm to a person or property.
- Damage to or theft of personal property.
- Physical harm or violence.

Conduct that is harassment, intimidation, or bullying may be verbal, written or physical, and/or include use of the internet and social media. Such conduct may occur directly or through another person.

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones. This includes:

- *Written contact* such as sexually suggestive or obscene letters, notes, electronic messages or invitations;
- *verbal contact* such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender specific traits, sexual propositions, and threats to disclose information;
- *physical contact* such as touching, pinching, brushing up against another's body, impeding or blocking movement, assault;
- *visual contact* such as leering or staring at another's body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters, or magazines.

In some cases, conduct can be deemed harassment, intimidation or bullying

even though the conduct is not directed at a particular group of students.

Harassment also includes continuing to express sexual or social interest after being informed directly that the interest is unwelcome.

Harassing conduct that is nonsexually oriented is also prohibited. Such conduct may include actions, words, jokes, or comments based on an individual's disability, race, national origin, religion, or other legally protected characteristics.

Indecent Exposure. A student shall not engage in any activity where there is deliberate exposure of a portion or portions of the student's own body. Prohibited exposure includes "flashing" and "mooning."

Initiation and Hazing. A student shall not engage in any activity involving an initiation, hazing, intimidation, assault, or other activity related to group affiliation that is likely to cause or does cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students or others. All initiations, including those related to any school club, athletic team, or other group are subject to the above prohibitions whether or not the conduct occurs on school grounds.

Misrepresentation - Extortion - Theft. A student shall not take, use, or borrow any property by misrepresentation, deception, or by express or implied threat. A student shall not take, use, or borrow property belonging to another person without that person's permission to use or take the property.

Obscenity - Vulgarity. A student shall not use obscene or vulgar language or gestures or distribute obscene or vulgar materials. Obscene materials, language, or gestures are those that an average person, applying contemporary standards of the school community, would find that taken as a whole, appeal to prurient interests and lack serious literary, artistic, political, or scientific value. The standard to be used is that of the school community, in recognition of the fact that students are, as a group, younger and more sensitive than the general adult population. Vulgar language, materials, or gestures include language, materials, or gestures that depict sexual and/or excretory activities in a patently offensive manner.

Sexual Abuse. Sexual Abuse is any sexual contact involving a student. It does not include consensual contact if (a) both students are 14 through 17 years of age; (b) both students are over 17 years of age; (c) one of the students is 18 or 19 years of age and the other student is 16 or 17 years of age, but not more than twenty-four (24) months younger than the older student.

Taking/Sending Sexually Explicit Photographs of Minors. A student shall not take and/ or send sexually explicit photographs or messages of a student via technology (sexting).

Tardiness. A student shall not be tardy to class or to any required school

activity.

Threats - Assaults - Fighting. A student shall not make verbal, written, or physical threats; nor verbally or physically threaten, abuse, assault, or engage in a fight with any student, school employee, or any other person.

Tobacco - Tobacco Products-Vapor Products. A student shall not possess or use tobacco or tobacco products, matches, lighters, or electronic cigarettes/vaporizer pens, e-liquids, or other vapor products.

Traffic and School Bus Rules. When operating a motor vehicle on campus or at a school event, a student shall follow all school and other traffic rules and shall operate the motor vehicle in a safe and prudent manner. A student shall abide by all school rules regulating the student's conduct while in a school bus or other school vehicle, and shall obey the directives of school bus drivers.

Truancy. A student shall not be truant from class or any required school activity.

Unauthorized Entry. A student shall not gain or attempt to gain forceful or unauthorized entry to, or occupation of, school buildings or grounds designated off limits areas on or off the campus.

Vandalism - Littering - Destruction of Property. A student shall not damage, destroy, or deface any school property or property belonging to any other person, and shall not litter on school property or at a school event.

Violation of Federal, State, or Local Law. A Student shall not violate any federal, state, or local law.

Violation of School Policies and Rules. A Student shall not violate any Governing Board policy, administrative regulation, or school rule.

Weapons or Dangerous Items. A student shall not possess, use, or threaten to use firearms, weapons, explosives, fireworks, laser pens, or any other instrument capable of harming any person or property or that reasonably would create the impression of such harm.

Permissible Penalties

The range of penalties that may be imposed for violations of student discipline rules include, but are not limited to, the following:

- Verbal warning.
- Written warning.
- Written notification to parents.

- Probation.
- Detention.
- Suspension from transportation.
- Suspension from athletic participation.
- Suspension from social or extracurricular activities.
- Suspension of other privileges.
- Exclusion from a particular class.
- Confinement with implementation of mandatory provisions.
- In-school suspension.
- Involuntary transfer.
- Community service.
- Suspension.
- Alternative to Suspension Program.
- Expulsion.
- Alternative Educational Program.

Depending upon the nature of the violation, student discipline *may* be progressive, i.e., generally, a student's first violation should merit a lighter penalty than subsequent violations. A District employee or agent should take into account all other relevant factors in determining an appropriate penalty. The above penalties may be imposed either alone or in combination.

Student Disciplinary Proceeding

Each school will establish a procedure that at a minimum will provide the principal, or the designee of the school administrator, with documentation of the teacher's reason(s) for the temporary removal of a student from class.

Refusal to readmit per A.R.S. [15-841](#):

- Upon discussion, by the administrator with the teacher, of disciplinary action implemented in conjunction with a temporary removal in accord with the rules established by the Board, the teacher will be required to state an intent to readmit or refuse to readmit the removed student. If the teacher refuses to readmit the student, the reason shall be written by the teacher, explaining the conditions used to determine the removal,

and shall be provided to the administrator by the next business day following the temporary removal.

- Either of the following conditions must exist for a temporary removal per A.R.S. [15-841](#):

- The teacher has documented that the pupil has repeatedly interfered with the teacher's ability to communicate effectively with the other pupils in the class or with the ability of the other pupils to learn.

- The teacher has determined that the pupil's behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.

- The matter will be referred to the school placement review committee (SPRC) constituted in accord with statute if the conditions are consistent with those stated in A.R.S. [15-841](#). Within three (3) business days following the date of temporary removal, the SPRC shall determine to either place the student in a new class or return the student to the existing class if that is the best or only practicable alternative.

- If the student is qualified for educational services under the Individuals with Disabilities Education Act (IDEA), any change in the student's individualized education program (IEP) shall be determined by the IEP team in accord with federal regulations.

Any teacher, administrator, Board member, parent, or other person may report a violation of student disciplinary rules to an administrator. The administrator will then make an investigation of the charges as deemed appropriate and will institute appropriate proceedings.

This information for the maintenance of public order on school property will be publicized and explained to all students and provided in writing to parents as requested. In order to promote effectiveness of student discipline, the assistance of parents in enforcing rules for student discipline shall be invited and encouraged.

Involving Staff Members

The principal is responsible for involving staff members of the school in the development of a positive plan for student discipline. All staff members are responsible for implementing the plan of student discipline for the school.

JK-RB

REGULATION

STUDENT DISCIPLINE

(Behavior Management and Discipline of Students)

Practices and procedures for the behavior management and discipline of students shall be determined and applied in accord with the following standards:

Behavior Management and Discipline of All Students

Each school shall implement positive, evidence-based, safe, and timely plans and procedures for all students including those who exhibit behaviors that interfere with learning or who place themselves or others in danger. Administration, staff, parents and students are to be engaged in the development of the plans. The purpose of the plan is to identify practices that are agreed upon and complied with and reinforced by members of the school community, including the Governing Board. An objective of the plan is to provide consistency in the manner in which deviations from appropriate behavior are addressed. The plans are to be submitted to the Superintendent.

- Plans are to be:
 - *Proactive*: Students are to be taught the critical social skills needed for success. Positive behavioral interventions and supports enable the school to set clear expectations for behavior, to acknowledge and reward appropriate behavior, and to implement a consistent continuum of consequences for challenging behavior.
 - *Comprehensive*: Positive behavioral interventions and supports are to be employed throughout the school, including non-instructional areas. Selected school personnel who interact daily with students are to be trained in positive behavioral interventions and supports, in data reporting, and receive support in implementation of the practices. Appropriate school personnel are to be trained in areas of crisis intervention such as the use of de-escalation strategies, seclusion, and restraints.
 - *Data driven*: The school is to rely on data for the development and modification of its positive behavioral interventions and supports approach. The data is to be tracked through office

referrals as well as from classroom reports, school-based intervention teams, and crisis intervention documentation. Positive behavioral interventions and support teams are to use the data to design specific interventions to prevent challenging behaviors before they occur and to confirm the effectiveness of interventions.

- Plans are to ensure that parents of students enrolled in the school have comprehensive information regarding behavioral expectations within the school and the planned responses should the expectations not be met. Parents are to:

- have ready access to the school plan, and
- be informed how to provide input into the plan.

Response to Intervention

The plans are to provide for and the school is to have in place a multi-level approach to teaching students appropriate behaviors that provide progressively intense support for students according to need.

- Provide interventions that are consistent with plans for creating and maintaining a positive school climate.
- Provide for small group direct instruction on a regular basis to those students who are experiencing difficulty understanding or abiding by the established standards of behavior. Supports should include such strategies as increased and targeted social skills training, increased monitoring and reinforcement systems, self-management techniques, family mentoring, involvement programs, and providing families with a list of community resources.
- Provide a range of individualized interventions designed to address the specific behaviors continuing to cause the student difficulty. These may include counseling, more intense direct instruction, behavioral contracts, specific behavioral consequences, alternative educational programming, consideration for a referral for an evaluation for special education services, and other strategies agreed upon with the parents. A functional behavioral assessment (FBA) and a behavior intervention plan (BIP) may be included and shall be required for students with disabilities when a manifestation determination is necessary.
 - The FBA must identify the triggers for the challenging behavior and what subsequent responses by staff or other students reinforce the continuation of the challenging behavior.
 - The BIP should be developed from a functional behavioral assessment and prescribe methods the staff will use to prevent, manage, replace, and monitor changes to the behavior. The BIP

must be based on evidence-based practices and support the goal of making the challenging behavior irrelevant, ineffective and inefficient. The BIP must be implemented with integrity by staff trained to do so.

Crisis Management

Crisis management in the context of behavior management is defined as the methods used by school personnel to respond to imminent danger to the student, other students or staff. The two (2) most commonly used methods of crisis management are seclusion or restraint (either physical or mechanical) of the student.

- **Seclusion:** Seclusion means the confinement of a student in any space from which the student is physically prevented from leaving.
- **Confinement.** Disciplinary policies involving the confinement of pupils left alone in an enclosed space shall provide for the following:
 - A process for prior written parental notification that confinement may be used for disciplinary purposes that is included in the pupil's enrollment packet or admission form.
 - A process for written parental consent before confinement is allowed for any pupil in the School District. The policies shall provide for an exemption to prior written parental consent if a school principal or teacher determines that the pupil poses imminent physical harm to self or others. The school principal or teacher shall make reasonable attempts to notify the pupil's parent or guardian in writing by the end of the same day that confinement was used.

Use of seclusion. Seclusion for the purpose of the plan is the confinement of a student in any space from which the student is physically prevented from leaving. Students will always be supervised when secluded.

Seclusion means the involuntary confinement of a pupil alone in a room from which egress is prevented. Seclusion does not include the use of a voluntary behavior management technique, including a timeout location, as part of a pupil's education plan, individual safety plan, behavioral plan or individualized education program that involves the pupil's separation from a larger group for purposes of calming.

- The use of seclusion is to be used only in an emergency to protect persons from imminent, serious physical harm with immediate notification to a campus administrator.
- Any area used for seclusion must be free of objects that could cause harm, must provide for adequate visual and audio supervision of the student, must provide adequate lighting and ventilation, and must not be locked.
- Any area used for seclusion must comply with the State Fire Code.
- School personnel must observe the student at all times during the seclusion period and reassess the child every fifteen (15) minutes. When seclusion continues beyond the fifteen (15) minute period, an administrator or the administrator's designee must review and approve continued seclusion.
- The student must be released from seclusion as soon as the student regains self-control.
- If seclusion is necessary, parents and administrators must be notified within the same school day and a written notice that includes the circumstances that preceded the behavior, the behavior, the length of time the student was secluded, the location of the seclusion, and the person who observed the student during the seclusion must follow. When a student has been in seclusion for longer than thirty (30) minutes, parent contact must be initiated as soon as possible within the same school day.
- A debriefing with affected staff, parents, and, if appropriate, the student shall be conducted within two (2) school days. During the debriefing, a determination must be made regarding the need for a functional behavior assessment (FBA).
- Each incident must be recorded in the student management system. (Place to indicate seclusion and restraint must be available with space for comment in discipline file.)
- A student who has required crisis management by the school staff more than three (3) times in a semester must have a functional behavior assessment (FBA) and, if appropriate, a behavior intervention plan (BIP) within a reasonable time following the third (3rd) incident.
- The District and the school must have a strategy in place to support teams in modifying a FBA and BIP when the existing plan is ineffective (e.g., continued instances of the need for crisis intervention).

- ***Prohibited uses of seclusion:***

- Seclusion is not to be used as punishment for violations of school rules, for repetitive behaviors, or because of teacher anger toward the student.
- Seclusion is not to be harsh, severe, or out of proportion with the offense committed and the age and physical condition of the student.
- Seclusion is not to be used to prohibit reasonable access for the care of the student's bodily needs.
- Seclusion must not deny a free, appropriate public education to students with disabilities through excessive or extensive use.

- ***Restraint:*** Restraint means any method or device that immobilizes or reduces the ability of a pupil to move the pupil's torso, arms, legs, or head freely, including physical force or mechanical devices.

- ***Use of physical and mechanical restraints.*** Restraint means any method or device that immobilizes or reduces the ability of a pupil to move the pupil's torso, arms, legs, or head freely, including physical force or mechanical devices.

Not to be included in this definition are:

- Restraints used in schools for the purpose of providing support to students' orthopedic and assistive technology needs in order to permit them to learn and participate in school activities as identified in an individualized education program (IEP).
- Restraints, such as weighted vests or blankets, identified by an IEP team as appropriate for a student to enhance participation in learning activities.
- Vehicle safety restraints used in accordance with state and federal regulations.
- Restraints employed by law enforcement officers in school settings that are used in accord with their policies and appropriate professional standards. These instances are subject to the same reporting requirements by the school as restraints used by school personnel.
- Physical restraint is to be a last resort emergency safety measure used only in an emergency situation when a student is imminently dangerous to him/herself or others.

- Personnel using the restraint must take extreme care to provide for the safety and comfort of the student during the restraint procedure.

- Personnel authorized to use restraints must have been extensively and repeatedly trained by personnel who have maintained approval by a training program to provide training in:

- ⇒ Alternatives to restraint (e.g., de-escalation strategies, and problem-solving techniques);

- ⇒ The proper use of the restraint; and

- ⇒ Safety precautions and procedures for continuous monitoring of a student by a third party during restraint.

- The student must be released from the restraint as soon as the student regains self-control.

- Parents and administrators must be notified as soon as possible within the same school day, followed by a written notice stating the circumstances that preceded the behavior, the behavior, the length of time the student was restrained, the location of the restraint and the person(s) who observed the student during the restraint.

- A debriefing with affected staff and parents and, if appropriate, the student must be conducted within two (2) school days. During the debriefing a determination will be made regarding the need for a functional behavioral assessment (FBA).

- An incident report of the event must be recorded in the student management system.

- A student who has required crisis management on the part of the school staff more than three (3) times in a semester must have a functional behavioral assessment (FBA) and, if appropriate, a behavior intervention plan (BIP) developed within a reasonable time following the third (3rd) critical incident.

- The District and the school must have a strategy to support teams in modifying a FBA and BIP when the existing plan is ineffective (e.g., continued instances of the need for crisis intervention).

- ***Prohibited uses of physical and mechanical restraints:***

- Physical and mechanical restraints, such as prone restraint, that places excess pressure on the chest or back or impedes the ability to breathe or communicate are prohibited.

- Restraints that provide support to a student's orthopedic needs shall not be used as a means of punishment for noncompliant behaviors.

- ***Training in uses of seclusion and restraint procedures:***

- Personnel who use seclusion and restraints procedures must have training in conflict prevention, crisis de-escalation, possible effects of seclusion, and any local or state regulations regarding the seclusion space and its use.
- The training of appropriate personnel must be recurrent with annual updates appropriate to the type of school setting, to the age and developmental level of students. The training must include information about commonly accepted standards for the use of seclusion and restraint in the school setting.
- The training must include content and skill development on the use of positive, instructional, and preventive methods for addressing student behavior.
- The training must include information about the effects of medications students may be receiving and how seclusion and restraint procedures might affect the physical well-being of the student during seclusion or restraint.
- The training may include multiple methods for monitoring a student's well-being during a restraint.
- The training must include certification in First Aid and cardiopulmonary resuscitation (CPR) in the event of an emergency during seclusion.
- The training must include the requirements for reporting to parents and administration.

- ***Corporal punishment:*** For the purposes of this regulation corporal punishment is defined as the deliberate infliction of pain intended to discipline or reform a person's bad attitude and/or behavior.

- Corporal punishment is prohibited.

- ***Emergency exceptions:***

- Nothing in Policy JK and/or its regulations precludes any teacher or other employee from using reasonable force to protect students, other persons, or themselves from imminent assault or serious harm. In addition, nothing in Policy JK and/or its regulations should be construed to interfere with or prohibit law enforcement actions.

JICK

STUDENT VIOLENCE / HARASSMENT / INTIMIDATION / BULLYING

The Governing Board believes it is the right of every student to be educated in a positive, safe, caring, and respectful learning environment. The Board further believes a school environment inclusive of these traits maximizes student achievement, fosters student personal growth, and helps students build a sense of community that promotes positive participation as members of society.

The District, in partnership with parents, guardians, and students, shall establish and maintain a school environment based on these beliefs. The District shall identify and implement age-appropriate programs designed to instill in students the values of positive interpersonal relationships, mutual respect, and appropriate conflict resolution.

To assist in achieving a school environment based on the beliefs of the Governing Board, bullying, as set out in this policy and accompanying regulation, student harassment, intimidation and bullying are prohibited on school property, on school buses, at school bus stops, and at school sponsored events and activities. Cyber harassment, intimidation and bullying are also prohibited.

Distinction between harassment, intimidation and bullying may be found in Regulation JICK.

The Superintendent shall establish procedures for the dissemination of information to students, parents, and guardians concerning this policy and accompanying regulation, incident reporting, support services (proactive and reactive) and student rights. Information will be provided to students, parents and guardians as follows:

- During the first week of each school year.
- To each incoming student during the school year at the time of the student's registration.
- In classrooms and in common areas of the school.
- Be summarized in the student handbook and on the District website.

The Superintendent shall establish procedures for the dissemination of information to District employees concerning this policy and accompanying regulation, including preventative measures, incident reporting, support services to students and students' rights. Information will be provided to staff members at the beginning of each instructional year and on the first day of employment for new employees.

The Superintendent shall also establish procedures designed to protect the health and safety of students who are harmed as the result of harassment, intimidation, or bullying. These will include, when appropriate, procedures for contacting emergency medical services, law enforcement agencies, or both.

Adopted: June 13, 2017

LEGAL REF.:

A.R.S.

[13-1202](#)

[13-1203](#)

[13-1204](#)

[13-2321](#)

[13-2916](#)

[13-2921](#)

[13-3506.01](#)

[15-341](#)

A.A.C.

[R7-2-1308](#)

CROSS REF.:

[IJNDB](#) - Use of Technology Resources in Instruction

[JI](#) - Student Rights and Responsibilities

[JIC](#) - Student Conduct

[JII](#) - Student Concerns, Complaints and Grievances

[JK](#) - Student Discipline

[JKD](#) - Student Suspension

[JKDA](#) - Removal of Students from School-Sponsored Activities

[JKE](#) - Expulsion of Students

[JR](#) - Student Records

JICK-R

REGULATION

STUDENT VIOLENCE / HARASSMENT / INTIMIDATION / BULLYING

Prohibited Conduct

Student violence, harassment, intimidation, and bullying are prohibited on school property, in school buses, and at school-sponsored events and activities.

Cyber harassment, intimidation and bullying includes any act of harassment, intimidation or bullying committed by use of electronic technology or electronic communication including by cell phone, social networking, and other internet communications. Cyber harassment, intimidation and bullying is prohibited on school computers, networks, forums, mailing lists or other District-owned property as well as on an individual's personal electronic media and equipment. See District Policy IJNDB titled "Uses of Technology Resources in Instruction."

Disciplinary action may result from student harassment, intimidation or bullying that occurs outside of the school and the school day when such conduct results in substantial negative physical, mental, or emotional impact on the victim at school or interferes with the authority of the school system to maintain order.

A student may be disciplined for conduct that is harassment, intimidation or bullying under Exhibit JK-E, "Discipline Matrix." Student conduct that is not harassment, intimidation or bullying may still be in violation of some other section of the Discipline Matrix.

This regulation covers student conduct. Student complaints concerning a school employee's conduct should be made pursuant to policy documents JII, JII-R and JII-EA, "Student Concerns, Complaints, and Grievances."

Distinctions between Harassment, Intimidation, and Bullying

Harassment, intimidation, and bullying often involve similar conduct, but there are some distinctions.

Harassment: Harassment is based on state and federal legally protected categories such as an individual's race, color, religion, sex, sexual orientation, ethnicity, national origin or disability. In some cases, conduct can be deemed harassment even though the conduct is not directed at a particular student or group of students. Harassment is often a form of unlawful discrimination that violates an individual's civil rights. Sexual harassment may also be a violation of Title IX of the Education Amendments Act.

Bullying: Bullying focuses on an imbalance of power between the student or students accused of bullying and the student or students who are the victims of the bullying. For example, bullying may be based on one or more of the following factors or criteria--economic status, physical size, social status, or personal appearance.

Intimidation: Intimidation involves threats, by word or conduct, to physically harm another person or harm or steal another person's property.

Factors to Consider in Evaluating Conduct

In determining whether conduct is harassment, intimidation or bullying, the following "Factors" should be considered:

- Is the conduct related to race, color, religion, sex, ethnicity, national origin, disability, sexual preference, gender identity or expression, cultural background, economic status, physical size, personal appearance, social status or some other factor or criteria that causes a real or perceived imbalance of power in favor of the student accused of harassment, intimidation or bullying?
- Does the conduct at issue involve either a series of incidents or a single serious incident?
- Has a student's ability to participate in school been significantly impacted? Has the student been physically injured or emotionally harmed or has his or her property been damaged? Has a student been placed in continuing fear of personal harm or damage to property?

Absent unusual circumstances, a combination of the Factors listed above is required to find that harassment, intimidation, or bullying has occurred.

Taking into consideration the Factors referenced above, harassment, intimidation or bullying may include, but not be limited to, the following conduct:

- Unwelcome, offensive, or derogatory verbal or written comments. Examples may include comments, jokes, sexual innuendoes, name calling, use of slang that others find offensive, or rumor spreading. Note that conduct does not have to reference a specific person.
- Calling attention to physical or sexual characteristics in a negative or embarrassing manner.
- Displaying or threatening to display on school property or on the internet or through social media nude or sexual pictures, cartoons, graphics, or calendars including portrayal of one or more students in an unflattering manner.
- Social exclusion, ostracism, hazing, or stalking
- Unwelcome physical contact such as touching, pushing, hitting, kicking, shoving, or spitting
- Extortion
- Threats of harm to a person or property
- Damage to or theft of personal property

- Physical harm or violence

Conduct that is harassment, intimidation, or bullying may be verbal, written or physical, and/or include use of the internet and social media. Such conduct may occur directly or through another person.

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones. This includes:

- Written contact such as sexually suggestive or obscene letters, notes, electronic messages or invitations.
- Verbal contact such as sexually suggestive or obscene comments, threats, slurs, epitaphs, jokes about gender specific traits, sexual propositions, and threats to disclose information.
- Physical contact such as touching, pinching, brushing up against another's body, impeding or blocking movement, assault.
- Visual contact such as leering or staring at another's body, gesturing, displaying sexually suggestive objects, pictures, cartoons, posters, or magazines.

In some cases, conduct can be deemed harassment, intimidation or bullying even though the conduct is not directed at a particular group of students.

Harassment also includes continuing to express sexual or social interest after being informed directly that the interest is unwelcome.

Harassing conduct that is non-sexually oriented is also prohibited. Such conduct may include actions, words, jokes, or comments based on an individual's disability, race, national origin, religion, or other legally protected characteristics.

Reporting Incidents to School

A student who is experiencing harassment, intimidation or bullying or who believes another student is experiencing such conduct should report the situation to the principal or another school employee, preferably a school administrator or counselor. A parent or guardian may also report harassment, intimidation or bullying to the principal or another school employee, preferably a school administrator.

A school employee who becomes aware of or suspects a student is the victim of conduct covered by this regulation shall notify the principal or designated school administrator not later than the next school day following the day the school employee becomes aware of or suspects that harassment, intimidation or bullying has occurred. Within one (1) day of any verbal report, a school employee shall make a detailed written description of the incident and any other relevant information to the principal on forms provided by the school. Should the principal be the employee who observes, is informed of or suspects a student is experiencing harassment, intimidation or bullying, the principal shall document the incident or concern in writing.

Failure of any employee to report a suspected case of harassment, intimidation or bullying may result in disciplinary action against the employee.

Investigation by Principal

The principal or principal's designee shall investigate all reports of harassment, intimidation or bullying. Parameters of the investigation shall include:

- As soon as reasonably possible following receipt of a report of harassment, intimidation or bullying, the principal or principal's designee shall provide to the alleged victim of harassment, intimidation or bullying a written copy of student rights, protections and support services available to the student and shall notify that student's parent(s) of the report.
- The principal or designee shall initiate an investigation of complaints of harassment, intimidation or bullying as soon as reasonably possible, but not later than two (2) school days after the administration's receipt of a report of harassment, intimidation or bullying.
- The investigation will be comprehensive given the circumstances presented, as determined by the principal or principal's designee.
- Such investigation shall include meeting with the student or staff person who reported the concern and the student or students who have allegedly been victimized by the harassment, intimidation or bullying.
- The investigation shall also include meeting with the student or students accused of engaging in the harassing, bullying or intimidating behavior as well as any witnesses, and, when and to the extent deemed appropriate, parents of students involved in the matter.

Should the principal or principal's designee determine that harassment, intimidation or bullying has occurred, appropriate discipline will be administered pursuant to the Discipline Matrix, Exhibit JK-E.

Regardless of the outcome of the investigation, the principal or principal's designee will meet with the student or students who are alleged to be or who are found to be victims of the harassment, intimidation or bullying to review the findings, outcome and any final determinations of the investigation. Depending on the circumstances, the discussion at each such meeting may or may not include a description of specific disciplinary sanctions imposed. See Section below titled "Confidentiality of Investigation and FERPA."

In addition to discipline, the principal will also take prompt and effective steps reasonably calculated to end any harassment, intimidation or bullying, eliminate any hostile environment and its effects, prevent retaliation and prevent the misconduct from reoccurring. The steps to be implemented will be determined by the principal or principal's designee and will depend on the facts and circumstances of each situation. Such steps may include, but are not limited to:

- In any meeting with a victim of harassment, intimidation or bullying (and/or his or her parents), determine the student's primary concerns and explain what steps the school will take to address the situation
- In any meeting with a student who engaged in harassing, bullying or intimidating behavior (and/or his or her parents), explain that the behavior will not be tolerated and

the consequences of any continued misconduct;

- Assign one (1) or more staff members to monitor, for a reasonable period of time, the victim or victims and the student or students who engaged in the misconduct to ensure it does not continue.

Confidentiality of Investigation and FERPA

In investigating a complaint of harassment, intimidation or bullying, the principal or principal's designee will maintain confidentiality to the extent reasonably possible.

In any meeting with a victim or alleged victim (and/or his or her parents) of harassment, intimidation or bullying, the Family Educational Rights and Privacy Act (FERPA) does not prevent the District from disclosing, in general, the outcome of an investigation. This means that the District can disclose whether or not harassment, intimidation or bullying was or was not substantiated by the investigation. FERPA also does not prevent the District from disclosing to a victim consequences imposed on a student to the extent the consequences directly relate to the victim.

FERPA does not allow disclosure of disciplinary sanctions that do not directly relate to the victim.

Retaliation Prohibited

Retaliation against a student or school employee based on 1) the reporting of a suspected incident of harassment, intimidation or bullying, and/or 2) the student or employee's involvement in an investigation is prohibited.

Documentation

Each investigation of harassment, intimidation or bullying will be documented by the principal or principal's designee. Documentation will be maintained by the District for at least six (6) years.

In the event the District must report incidents to persons other than school officials or law enforcement, all individually identifiable information shall be redacted.

Submitting False Reports

Knowingly submitting a false report and/or knowingly providing false information in an investigation concerning harassment, intimidation or bullying is prohibited. A student who violates these requirements may be subject to discipline up to and including suspension or expulsion.

Contacting Emergency Medical Services and Law Enforcement

Emergency medical services shall be contacted, if appropriate, when a student has been physically harmed. Law enforcement authorities shall be notified any time District officials have a reasonable belief that a notification of an incident of harassment, intimidation or bullying is required by law.